

Commissioners.

sonville and Swansboro road, the following citizens of the said county, to-wit, John D. Coston, E. W. O. Riggs and Bryant Scott, be appointed special commissioners with full power and authority to lay out said road and to supervise its construction.

Surveyor.

Survey of road.

SEC. 2. That it shall be the duty of the said commissioners, as soon as they deem it advisable, to employ a competent surveyor and survey and locate the said road; and the said road shall be eighteen feet wide, clear of stumps and runners, and shall be laid out and constructed with as little damage as possible to the lands through which it shall pass.

Condemnation of land.

SEC. 3. That the said board of special commissioners shall have full power to condemn lands lying along the said road and over which it shall pass; but if the owner of said condemned land shall feel himself injured by the action of said board, then it shall be competent for him to petition the board of county commissioners for a jury of not more than seven nor less than three disinterested freeholders to estimate the damage sustained; whereupon it shall be the duty of the said board of county commissioners to cause a jury as aforesaid to be summoned by the sheriff to appear upon the premises within fifteen days after the filing of the petition with the board of county commissioners; and the jury being sworn by the sheriff to discharge their duty impartially, and considering the benefit as well as the injury resulting from the establishing of the road upon the land, shall proceed to assess the damage sustained; and the board of county commissioners, upon the report of the said jury being made to and confirmed by the said board, shall pay the damages so assessed out of any funds provided by them for that purpose: *Provided*, that either party may appeal from the confirmation of said report to the superior court.

Appeal.

Convicts to be furnished.

SEC. 4. That on demand made in writing by the afore-
said board of special commissioners, the board of directors of the penitentiary are authorized and instructed to